

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 70-SW-58]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the Bridgeport, Tex., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the Federal Register will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as herein-after set forth.

In § 71.181 (35 F.R. 2134), the Bridgeport, Tex., transition area is amended to read:

BRIDGEPORT, TEX.

That airspace extending upward from 700 feet above the surface within a 8-mile radius of the Lake Bridgeport Airport (lat. 33°10' 30" N., long. 97°49'00" W.).

This transition area will provide controlled airspace for aircraft executing instrument approach/departure procedures proposed to serve the Lake Bridgeport Municipal Airport at Bridgeport, Tex. Previously established approach/departure procedures serving the Bridgeport Airport will be canceled concurrently with implementation of the proposed procedures.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c) 1).

Issued in Fort Worth, Tex., on October 2, 1970.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-13631; Filed, Oct. 9, 1970; 8:47 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 70-CE-80]

JET ROUTE SEGMENT

Proposed Designation

The Federal Aviation Administration (FAA) is considering an amendment to Part 75 of the Federal Aviation Regulations that would designate a segment of Jet Route No. 522.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of this notice in the Federal Register will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The FAA proposes the designation of J-522 segment from Green Bay, Wis., via Traverse City, Mich., to Kleinburg, Ontario, Canada, excluding the portion within Canada. This proposed jet route segment would be utilized to improve traffic movement into and from the Toronto, Ontario, Canada, terminal area.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on October 5, 1970.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 70-13630; Filed, Oct. 9, 1970; 8:47 a.m.]

Hazardous Materials Regulations Board

[49 CFR Part 173]

[Docket No. HM-59; Notice 70-18]

CLASS A POISONS IN CYLINDERS

Notice of Proposed Rule Making

The Hazardous Materials Regulations Board is considering amending the Department's Hazardous Materials Regulations to provide for the use of specification DOT 3A, 3AA, and 3E1800 cylinders for the transportation of certain class A poisonous liquids or gases.

This proposal is based upon a petition for rule making and the satisfactory ex-

perience gained under the terms of several special permits in existence for several years. These cylinders would be prescribed for class A poisons not otherwise specifically provided for (§ 173.328). At the same time they would automatically be authorized for certain specifically named poisonous materials covered in the sections that adopt the packaging requirements of § 173.328 by reference to that section. Simultaneously, criteria for adequate valve protection would be more clearly defined in § 173.327.

The packaging and handling requirements for class A poisons, in general, as well as the need for specifically naming in § 172.5 certain class A poisonous materials currently described under the generic term "Poisonous liquid or gas, n.o.s." is under review by the Board. However, the Board believes that the changes proposed in this notice are significant enough to warrant separate rule-making action in the interim.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 173 as follows:

In § 173.327 paragraph (a) would be amended to read as follows:

§ 173.327 Packing.

(a) Cylinders must be maintained in compliance with the requirements of § 173.34 and, except as otherwise provided, § 173.301(g) (1), (2), or (3). Valves must be capable of withstanding the test pressure of the cylinders and must have taper-threaded connections directly to the cylinders (no bushings or straight-threaded connections of valves to cylinders permitted). For corrosive commodities, valves may be of the packed type provided the assembly is made gas-tight by means of a seal cap with compatible gasketed joint to the valve body or to the cylinder to prevent loss of commodity through or past the packing; otherwise the valves must be of the packless type with nonperforated diaphragms and handwheels. The valve outlets must be sealed by threaded caps or threaded solid plugs of material, including luting and gaskets, compatible with the lading, cap, and valve assembly. Safety relief devices are forbidden.

(1) The pressure of the poison gas at 130° F. must not exceed the service pressure of the cylinder. Cylinders must not be liquid full at 130° F.

(2) Cylinders packed in boxes must have adequate protection for valves. Box and valve protection must be of strength sufficient to protect all parts of cylinders and valves from deformation or breakage resulting from a drop of at least 6 feet onto a concrete floor, impacting at the weakest point. A cylinder not overpacked in a box must be capable of preventing damage to or distortion of the valve when it is subjected to an impact caused by allowing the cylinder, prepared as for shipment, to fall from an upright position with the side of the cap or other valve protection striking a solid steel object projecting not more than 6 inches above the floor level.

In § 173.328 paragraph (a) (2) would be added to read as follows:

§ 173.328 Poisonous gases and liquids not specifically provided for.

(a) * * *

(2) Spec. 3A1800, 3AA1800, or 3E1800 (§§ 178.36, 178.37, 178.42) cylinders.

(i) Spec. 3A and 3AA cylinders must not exceed 125 pounds water capacity (nominal). Each cylinder must have valves protected by metal caps or by packing in strong wooden or metal boxes.

(ii) Spec. 3E1800 cylinders must be packed in strong wooden or metal boxes.

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received on or before November 24, 1970, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

This proposal is made under the authority of sections 831-835 of title 18, United States Code, section 9 of the Department of Transportation Act (49 U.S.C. 1657), and title VI and section 902(h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h)).

Issued in Washington, D.C., on October 5, 1970.

J. B. McCARTY, Jr.,
Captain, U.S. Coast Guard, By
direction of Commandant,
U.S. Coast Guard.

CARL V. LYON,
Acting Administrator,
Federal Railroad Administration.

ROBERT A. KAYE,
Director, Bureau of Motor Car-
rier Safety, Federal Highway
Administration.

SAM SCHNEIDER,
Board Member, for the
Federal Aviation Administration.

[F.R. Doc. 70-13646; Filed, Oct. 9, 1970;
8:49 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 221, 399]

[Docket No. 22639; EDR-190, PSDR-27]

GROUP FARES ON SCHEDULED SERVICES

Notice of Proposed Rule Making

OCTOBER 6, 1970.

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to (1) Part 221 of its economic regulations (14 CFR Part 221) which would require that tariffs for group fares specify the rules applicable to such fares, and (2) Part 399 of its policy statements (14 CFR Part

399) which would provide that the conditions related to group fares other than inclusive tour basing fares shall conform to the Board's regulations governing pro rata charters.

The principal features of the proposed amendments are described in the explanatory statement below and the proposed amendments are set forth in the proposed rules. The amendments are proposed under the authority of sections 204(a), 401, 402, and 403 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 754 (as amended by 76 Stat. 143), 757 and 758 (as amended by 74 Stat. 445); 49 U.S.C. 1324, 1371, 1372, and 1373) and 5 U.S.C. 552.

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material in communications received on or before November 9, 1970, and reply comments thereon received on or before November 24, 1970, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712 Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL]

HARRY J. ZINK,
Secretary.

Explanatory statement. The Board, by Order 70-1-117,¹ denied a motion by member carriers of the National Air Carrier Association (NACA) to expand the scope of the rule making initiated by EDR-183 in Docket 22174 to include affinity group fares offered by route carriers on their scheduled services. EDR-183 proposed substantial revisions to the Board's charter regulations. NACA alleged in its motion that affinity group fares are available to the same organizations which use affinity charters and are directly competitive with and in large measure intended as a substitute for affinity charter services. NACA further alleged that the rules for affinity group fares are less restrictive than the Board's proposed rules for affinity charters, and that the scheduled carriers could make the rules for affinity group fares even less restrictive.

While we denied NACA's motion on the ground that it would be inappropriate to further enlarge an already complex proceeding, we recognized that some form of relief may be needed to prevent undue competitive advantage to the route carriers with respect to affinity group fares. Accordingly, the Board has tentatively determined first, to amend Part 221 to require that tariffs for group fares shall specify the detailed rules applicable to such fares and that tariffs for group fares other than inclusive tour-

basing fares in foreign air transportation conform to the proposed policy statement, and secondly, to amend Part 399 to provide that conditions related to group fares other than inclusive tour-basing fares shall conform to the Board's regulations governing pro rata charters.

The Board has tentatively determined to confine the policy statement to foreign air transportation, which appears to encompass the major affinity charter markets. The Board will, however, consider broadening the scope of the final rule to include interstate and overseas air transportation. The Board will also consider confining the policy statement to group-fare services in which the group size is in excess of some minimum number of persons. This could be done by exempting from the rule groups whose size is significantly below the minimum required for split charter groups, i.e., 40.

With respect to the proposed amendment to Part 399, it is anticipated that the final rule may specify the sections of the Board's charter regulations which will be applicable to group fares other than inclusive tour-basing fares. However, since the charter regulations for both supplemental and scheduled air carriers are at present the subject of a proposed large-scale revision,² it would be inappropriate in our view to specify sections of our regulations at this time. However, we wish to put all persons on notice that our intent, as reflected in the proposed amendment to Part 399, is to assure that those carriers offering pro rata charters are on a parity with carriers offering group fares other than inclusive tour-basing fares on scheduled services in terms of the kinds of organizations which are eligible for the services, the eligibility of individual persons to participate in such services, the permissible scope of solicitation, requirements designed to insure compliance with these conditions, and, finally, any other regulations which affect the eligibility of the group.

Proposed rule. It is proposed to amend Parts 221 and 399 of the Board's regulations (14 CFR Parts 221 and 399) as follows:

1. Amend § 221.38 by adding a new paragraph (1) to read as follows:

§ 221.38 Rules and regulations.

(1) **Tariffs for group-fare services.** All tariffs for group-fare services conducted on scheduled services by air carriers and foreign air carriers shall specify in detail the rules applicable to such fares. These rules shall specify in clear, explicit and definite terms the nature and kinds of organizations which are eligible for group-fare services, other provisions which affect the eligibility of the group, the eligibility of individual persons to participate in such services, the permissible scope of solicitation, the requirements designed to insure compliance with the foregoing (including requirements as to submission of information and documents by the organization), and all other terms, conditions,

¹ July 24, 1970.

² Docket No. 22174.